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INTRODUCED BY SENATOR GATES.

JANUARY 20, 1913.

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REFERRED TO COMMITTEE ON PUBLIC HEALTH AND QUARANTINE.

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## AN ACT

AUTHORIZING AND REGULATING THE PRACTICE OF CHIROPRACTIC IN THE STATE OF CALIFORNIA; CREATING A STATE BOARD OF CHIROPRACTIC EXAMINERS; PROVIDING FOR THE APPOINTMENT OF THE SAME; DEFINING ITS POWERS, DUTIES AND EMOLUMENTS; TO PROVIDE FOR THE EXAMINATION AND LICENSING OF CHIROPRACTORS IN THE STATE OF CALIFORNIA, AND TO REPEAL ALL ACTS OR PARTS OF ACTS IN CONFLICT HEREWITH.

*The people of the State of California do enact as follows:*

1     SECTION 1. That a board is hereby created and established  
2     to be known by the name of the state board of chiropractic  
3     examiners. Said board shall be composed of three practicing  
4     chiropractors of integrity and ability, who shall be residents  
5     of the State of California, and who shall have practiced the  
6     art of chiropractic continuously in the State of California for  
7     a period of not less than one year. No two members of said  
8     board shall be graduates of, or belong to the same school or  
9     college of chiropractic.

10    SEC. 2. The governor of the State of California shall  
11    within thirty days after the taking effect of this act, appoint  
12    three chiropractors, who shall possess the qualities specified  
13    in section one of this act, to constitute the members of said  
14    board. Said members shall be so timed by the governor that  
15    the term of office of one shall expire in one year, one in two

1 years and one in three years from the date of appointment.  
2 Annually thereafter the governor shall appoint one member,  
3 who shall possess the qualifications specified in section one of  
4 this act, to serve for a period of three years, and fill all vacan-  
5 cies in said board caused by death or otherwise, as soon as  
6 practicable.

7 SEC. 3. The said board of chiropractic examiners shall  
8 convene within thirty days after their appointment, and from  
9 among their number elect a president, a secretary and treas-  
10 urer. Said board shall have authority to administer oaths,  
11 take affidavits, summon witnesses and take testimony of mat-  
12 ters pertaining to their duties. They shall adopt a seal which  
13 shall be affixed to all licenses issued by them, and shall from  
14 time to time adopt such rules and regulations as they may  
15 deem proper and necessary for the performance of their duties,  
16 and they shall adopt a schedule of minimum educational  
17 requirements as stated in section seven of this act, which shall  
18 be without favor, prejudice, or discrimination as to the differ-  
19 ent schools of chiropractic. The secretary of said board shall  
20 keep a record of the proceedings of the board, which shall be  
21 at all times open to public inspection. Said board shall, also,  
22 keep on file with the secretary of state, a copy of their rules  
23 and regulations for public inspection, and shall elect annually  
24 a president, secretary and treasurer. A majority of said board  
25 shall constitute a quorum.

26 SEC. 4. Chiropractic includes the principles which compose  
27 the science, the art of vertebral adjusting and the philosophy  
28 thereof. A chiropractor is one who has the knowledge of the  
29 principles of which the science of chiropractic is composed,  
30 and the acquired skill and ability to perform the art of adjust-  
31 ing by hand the bones of the skeletal frame, more particularly  
32 those of the neuroskeleton, together with an understanding of  
33 the philosophy of the science and art of vertebral adjusting.

34 SEC. 5. A license to practice chiropractic within this state  
35 shall be issued to the individual members of said board at their  
36 first meeting upon payment of the regular fee as provided for  
37 in this act in section six. The aforesaid board shall meet as a

1 state board for the examination of chiropractors on the first  
2 Tuesday in April, July, October and January of each year.  
3 The meetings of April and October shall be held in San Fran-  
4 cisco and the ones in July and January in Los Angeles.

5 SEC. 6. Any person desiring to practice chiropractic in  
6 this state shall make application to said board of chiropractic  
7 examiners through the secretary thereof upon such form and  
8 in such manner as shall be adopted and directed by the board.  
9 There shall be paid to the secretary of the state board of  
10 chiropractic examiners by each applicant for a license a fee  
11 of twenty dollars, which shall accompany the application.

12 SEC. 7. Any person making application for examination  
13 for a license to practice the art of chiropractic shall satisfy  
14 the board of chiropractic examiners that he or she is a grad-  
15 uate from an incorporated college of chiropractic and has to  
16 his or her credit a two years' course of study, each year  
17 consisting of eight months. The examination for a license to  
18 practice chiropractic shall be made in anatomy, physiology,  
19 pathology, etiology, biology, nerve tracing, palpation, specific  
20 adjusting, chiropractic orthopedy and the principles of the  
21 theory and practice of chiropractic. These examinations shall  
22 be made by said board according to the method deemed by it  
23 to be the most practical and expeditious, sufficiently so to test  
24 the applicant's qualification. Each applicant shall be desig-  
25 nated by a number instead of his or her name, so that the  
26 identity of each person will not be known to the members of  
27 the board until after the examination papers are graded. All  
28 examinations shall be made in writing in the branches named  
29 above. A license shall be granted to all applicants who shall  
30 answer seventy-five per cent of all questions correctly and not  
31 less than sixty per cent in any one branch of said examination.

32 SEC. 8. All chiropractors who are residents of this state  
33 and who hold an unrevoked certificate at the time this bill  
34 becomes a law, issued either by the board of examiners of the  
35 California association of chiropractors, or by the board of  
36 examiners of the federated chiropractors of California, shall  
37 be granted a license as herein provided without an examina-

1 tion; provided, that an application be made within sixty days  
2 after the taking effect of this act, and accompanied by the  
3 required fee as herein provided.

4 SEC. 9. The state board of chiropractic examiners may  
5 refuse to grant or revoke a license to practice chiropractic, or  
6 may cause any licentiate's name to be removed from the  
7 records in the office of the recorder of deeds in this state, upon  
8 any of the following grounds, to wit: The employment of  
9 fraud or deception in applying for a license or in passing the  
10 examination provided for in this act; the practice of chiro-  
11 practic under a false or assumed name; the conviction of a  
12 crime of moral turpitude; habitual intemperance in the use  
13 of alcoholic liquors, narcotics or stimulants to such an extent  
14 as to incapacitate him or her for the performance of their  
15 professional duties. Any person who is a licentiate, or an  
16 applicant for a license to practice chiropractic against whom  
17 any of the foregoing causes for revoking or refusing a license  
18 has been presented to said board with a view of having the  
19 board revoke or refuse to grant a license, shall be furnished  
20 with a copy of the complaint, and shall have a hearing before  
21 said board in person, or by an attorney; witnesses may be  
22 examined by said board respecting the guilt or innocence of  
23 the accused. Said board may at any time within two years of  
24 the refusal or revocation or cancellation of registration under  
25 this section, by a majority vote, issue a new license to the  
26 person affected, restoring him or her to and conferring upon  
27 him or her all the rights and privileges of, and pertaining to  
28 the practice of chiropractic as defined and regulated by this  
29 act. Any person to whom such rights have been restored shall  
30 pay to the secretary the sum of twenty dollars upon the issu-  
31 ance of the new license.

32 SEC. 10. Each member of the board shall receive the sum  
33 of fifteen dollars per day for actual time served and three  
34 cents per mile for each mile traveled to and from the place of  
35 meeting of the board. The secretary in addition to the above  
36 shall receive the sum of one hundred dollars per year. All  
37 money in excess of the actual expenses of the board shall be

1 paid annually into the state treasury. Any person who shall  
2 practice or attempt to practice, or advertise, or hold himself  
3 or herself out as practicing the art of chiropractic in this  
4 state, without having at the time of so doing, a valid unre-  
5 voked license, as provided in this act, shall be declared guilty  
6 of a misdemeanor and upon conviction thereof, shall be pun-  
7 ished by a fine of one hundred dollars, or by imprisonment in  
8 the county jail for a term of thirty days, or by both such fine  
9 and imprisonment. Every person who shall receive a license  
10 from the California state board of chiropractic examiners shall  
11 have it recorded in the office of the recorder of deeds in the  
12 county in which he or she is a practitioner, and shall likewise  
13 have it recorded in the county or counties to which he or she  
14 may subsequently remove for the purpose of practicing the  
15 art of chiropractic. The failure or refusal on the part of the  
16 holder of a license to have it recorded shall be sufficient reason  
17 for the board to revoke or cancel said license, thereby render-  
18 ing it null and void.

19 SEC. 11. Registered chiropractors shall display their cer-  
20 tificates of registration in a conspicuous place, and whenever  
21 required shall exhibit such certificate to the said board of  
22 chiropractic examiners or its representatives. Chiropractic  
23 practitioners shall observe and be subject to all state and  
24 municipal regulations relating to the control of contagious  
25 and infectious diseases, sign death certificates and be subject  
26 to any and all matters pertaining to public health, to the  
27 proper health officers the same as other practitioners.

28 SEC. 12. The recorder of deeds of each county in this state  
29 shall keep for public inspection, in a book provided for that  
30 purpose, a complete list and description of the licenses recorded  
31 by him. When any such license is presented to him for record  
32 he shall write upon the face thereof his memorandum, describ-  
33 ing such license and the date of its presentation for record.

34 SEC. 13. The licenses granted and described in sections five  
35 and seven of this act do not authorize the holder thereof to  
36 prescribe drugs, perform major surgery or obstetrics.

37 SEC. 14. Chiropractic is hereby declared not to be the

1 practice of medicine, or surgery, or obstetrics within the  
2 meaning of act LI, statutes 1901, and is not subject to the  
3 provisions of this act.

4 SEC. 15. All acts and parts of acts in conflict herewith are  
5 hereby repealed. Nothing in this act, however, shall be con-  
6 strued to interfere with any other method or science of healing  
7 in this state.